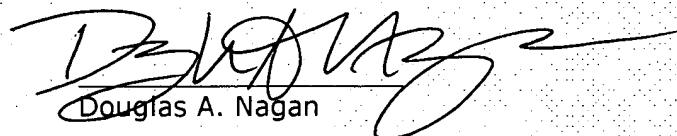


## AFFIDAVIT

I, Douglas A. Nagan, being duly sworn according to law, state the following regarding the invention described in patent application 10/035,890 which was filed on December 31, 2001.

1. I conceived the original idea 1998 when I developed an approach to assess the risk of the approaching date of 1/1/2000 (commonly called Y2K). I focused the initial approach on assessing risk in technology systems. Documented examples of the Y2K approach are available and will be supplied on request.
2. In late 1999, as the Y2K deadline approached, I realized that the I could further develop and refine the concept to assess risks in the broader business world.
3. To achieve this aim, I began working with Edward M. Dunham, Jr., Esquire beginning in late 2000 through the filing. During this time, Mr. Dunham and I developed the concept further and created pilot versions to determine the feasibility of the concepts in actual practice under operational conditions in the marketplace.
4. The primary purpose of the invention was and is to assist insurance, reinsurance and retrocessionaire underwriters, and corporate risk managers, chief financial officers, general counsel and chief executive officers to accurately measure risks requiring either remediation or insurance coverage, and to enable the foregoing to accurately price any insurance coverage offered.
5. Both Mr. Dunham and I had numerous conversations and meetings with sophisticated and experienced prospective users of the invention, including, but not limited to, major international insurance brokers, chief underwriters for major insurance carriers, and sophisticated risk assessment personal and, with no exception, were told that not only was the invention feasible and marketable, but that there were no other competitors with similar inventions of which they were aware.
6. During the time we worked on the development of the invention, we had several prior art searches accomplished by patent counsel. None of these searches turned up what patent counsel might reasonably consider prior art.
7. Documented examples of the concepts and pilots over the period leading up to filing are available and will be supplied on request.

The foregoing information is true and correct based on my personal knowledge, information and belief. Further affiant sayeth not.

  
Douglas A. Nagan

SUBSCRIBED and SWORN to before me by Douglas A. Nagan this 10<sup>th</sup> day of October, 2008, in the county of Middlesex in the State of Connecticut.

Notary Public: Heather Mudge (signature)

(Notarial Seal)

My commission expires: June 30, 2011

**HEATHER MUDGE**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JUNE 30, 2011